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KEVIN ALEXIS ONTIVEROS  
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7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**

9 UNITED STATES,

10 Plaintiff,

11 v.

12 KEVIN ALEXIS ONTIVEROS,

13 Defendant.  
14

Case No. 2:23-cr-00411(A)-HDV

**KEVIN ONTIVEROS'**  
**MEMORANDUM IN SUPPORT OF**  
**SENTENCING**

15 Kevin Alexis Ontiveros, through his counsel of record Christy O'Connor, hereby  
16 files the following memorandum in support of his July 10, 2025 sentencing hearing.  
17

18 Respectfully submitted,

19 CHRISTY O'CONNOR  
The Law Office of Christy O'Connor  
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21 DATED: June 30, 2025

22 By /s/ Christy O'Connor

23 Christy O'Connor  
Attorney for Kevin Alexis Ontiveros  
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## SENTENCING MEMORANDUM

Kevin Ontiveros was just 19 years old when he made the biggest mistake he will ever make-- a mistake that caused serious injury to a person whom Mr. Ontiveros barely even knew, and that derailed the positive progress he had just begun to achieve in his own life. The Presentence Investigation Report (“PSR”) correctly calculates his guideline range to be between 21 and 27 months. The government requests 27 months. By this memorandum, Mr. Ontiveros submits that a guideline sentence is sufficient but not greater than necessary to achieve the aims of sentencing.

I. July 2, 2023: a Non-Gang Member Participates in a Gang-Related Assault.

According to documents produced by the government in discovery,<sup>1</sup> at the time of the incident, the victim of this assault was an admitted Florencia-13 member who was in bad standing with his gang. On July 2, 2023, in a confrontation with other F-13 members, the victim (a convicted felon) had “pulled out a chopper”<sup>2</sup> near the intersection of Compton Avenue and South Central Avenue. A large group of people scattered and fled. When, later that day, two individuals alleged to be leaders in the gang exacted their revenge, Mr. Ontiveros made the worst choice of his life and participated in the heinous assault. It is a choice that is grossly out of step with his behavior and character, both before the incident and after it, almost to the point of being inexplicable. And it is one that he regrets every day.

Mr. Ontiveros was not and is not a member of F-13. Government-produced discovery confirms this. In the course of its investigation into this alleged RICO conspiracy, the government obtained thousands of recorded phone calls among defendants it accuses of running the large-scale criminal street gang. These calls are alleged to include detailed discussions of the gang's inner workings, its members, its

<sup>1</sup> Mr. Ontiveros has made no statements to law enforcement in this case. The facts recited here all derive from other evidence produced by the government.

<sup>2</sup> “Chopper” is a street name for a rifle/machine gun.

1 operations, its narcotics trafficking, its tax collecting, the violence it planned and  
2 systematically wrought in furtherance of F-13's objectives. Kevin Ontiveros does not  
3 participate in a single one of those calls: none of the gang members call or text him, and  
4 neither does he call or text any of them. He is not so much as mentioned in a single one  
5 of those calls. Consistent with his lack of gang membership, Mr. Ontiveros has no  
6 tattoos. There is no evidence he has ever participated any other gang-related activity.  
7 There is only this one incident: atrocious no doubt, but also shockingly anomalous.

8 II. Mr. Ontiveros' Participation in this Assault is Not Consistent with His History or  
9 His Character.

10 Mr. Ontiveros' conduct here is indeed a striking departure for him. He has  
11 always been a self-described "mama's boy," and is a homebody even to a fault. His  
12 high school experience was shaped largely by the COVID-19 lock-down. During his  
13 junior and senior year, the lockdown confined him, day in and day out, to the small,  
14 one-bedroom home<sup>3</sup> in South Central where he lived with his mother, his four siblings,  
15 and sometimes his grandmother, when she was in town from Mexico. In what he now  
16 recognizes to be a symptom of depression, once his mother left for work, Kevin often  
17 went back to sleep. PSR, ¶ 83. That's how he spent the two most formative years of his  
18 life: sleeping, eating, and unable to muster up the motivation to tune into his computer  
19 for virtual school.

20 When he graduated in the Spring of 2021, it was by the skin of his teeth, and  
21 only through his family's collective intervention. PSR, ¶ 83. Nevertheless, he entered  
22 the workforce armed proudly with his degree. He was disappointed to find, though, that  
23 his job prospects didn't seem any better than what they would have been had he  
24 dropped out. He attempted to gain work through a temp agency, but nothing stuck. He  
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26 <sup>3</sup> Defense counsel has visited the family's home, and estimates that it is  
27 approximately 500 square feet, at most. There is a set of bunk beds and what appears to  
28 be a double bed in the living room. Mr. Ontiveros' mother, his four siblings, his sister's  
one-year-old baby, and his grandmother were all living there at the time of my visit.

1 was fired from a clothing factory because he was too slow. Several other jobs he hoped  
2 would be permanent proved to be just temporary positions. At the time of the assault at  
3 issue here, July of 2023, Mr. Ontiveros was unemployed, nearly 100 pounds  
4 overweight, and was deep into a daily marijuana habit.

5 In November of 2023, without any inkling that a video of the July assault was in  
6 law enforcement's hands or that he would ever be prosecuted for it, Kevin looked in the  
7 mirror and decided he was fed up. He was 20 years old and needed to turn his life  
8 around. He wanted to be able to provide for his young siblings, to buy them clothes and  
9 take them out to eat. He wanted his life to go in a better direction. He moved out of  
10 South Central, even though that meant leaving behind his beloved mother and siblings,  
11 and moved in with his father, a man who had been absent for his entire childhood but  
12 with whom he had recently reconnected.

13 At his father's home in Lemoore, California, Mr. Ontiveros was more than 200  
14 miles away from South Central, where police helicopters and gangs had never been out  
15 of sight or mind. It was truly a fresh start. Kevin got a job at the take-out restaurant  
16 where his father was a manager. At the restaurant, he learned how to make chow mein.  
17 He was as proud of the noodles he made as he was of his paycheck. On visits to see his  
18 siblings in Los Angeles on the weekends, Kevin brought take-out and took the kids  
19 shopping for new shoes and school supplies. He took his younger brother to his first  
20 football game. His life was simple: work, spend time with his father and five paternal  
21 siblings, and visit his maternal siblings when he could. The trouble that surrounded him  
22 growing up could not find him in Lemoore. He did not even have a cell phone. He had  
23 completely removed himself. At the time of his arrest in August of 2024, this had been  
24 his consistent routine for nine months.

25 III. Conclusion.

26 What Mr. Ontiveros did here was awful. This conviction, for gang-related  
27 violence, will follow him the rest of his life, and perhaps rightly so. But it is also true  
28 that this offense does not define him. When he is done serving his sentence, he intends

1 to continue to work hard and better himself. He may want to pursue a career in HVAC.  
2 One of his goals is to own his own car. Mr. Ontiveros understands that his offense is a  
3 serious one, and he knows that it is only right that he is punished for it. He only  
4 requests that in fashioning his sentence, the Court temper justice with mercy.  
5

6 DATED: June 30, 2025

By /s/ Christy O'Connor

Christy O'Connor

Attorney for Kevin Alexis Ontiveros